

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VALERIE JONES,)	
Petitioner)	Civil Action No. 09-234 Erie
)	
v.)	Magistrate Judge Baxter
)	
COMMONWEALTH OF)	
PENNSYLVANIA,)	
Respondent.)	

REPORT AND RECOMMENDATION

AND NOW, this 18th day of September, 2009, after Petitioner presented a petition for a writ of habeas corpus which she seeks leave to prosecute in forma pauperis, and it appearing that she has an average monthly balance of \$ 31.00 in her account at the State Correctional Institution at Cambridge Springs, Pennsylvania, which sum far exceeds the \$ 5.00 filing fee required to commence this action, and it further appearing that requiring the Petitioner to pay the filing fee will not deprive her of any necessities of life at the prison,

It is recommended that leave to proceed in forma pauperis be denied.

Petitioner shall have ten (10) days from the date of service in which to file written objections to this Report and Recommendation. Failure to file timely objections may constitute a waiver of any appellate rights.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States Magistrate Judge

cc: Valerie Jones # OB-7488
SCI Cambridge Springs
451 Fullerton Avenue
Cambridge Springs, PA 16403